

work of the committee can not be completed, then and in such case the committee shall have the right to sit and continue its work after the adjournment of the present Legislature; the members of the committee shall receive no compensation for the services by them rendered, but they shall be paid actual traveling expenses and hotel bills incurred in the performance of their duties, only in the event of the meeting of the committee away from the City of Austin during the session of the Legislature, and also in the event of any committee sessions after the adjournment of the Legislature; such expenses of the members of said committee, witness fees, stenographic hire, and all other expenses incident to the investigation shall be paid out of the appropriation for mileage and per diem and contingent expenses made at this Third Called Session of the Forty-fourth Legislature; and the total expenses of the committee shall not exceed the sum of \$10,000.00, and such amount of money is herewith appropriated out of the Contingent Expense Fund of the House to meet the payments of the expenses of the investigation; the warrants to pay such expenses shall be signed by the Speaker of the House and its Chief Clerk.

Sec. 8. And the committee is herewith further empowered to do each and every act and thing reasonably necessary to enable the committee to carry out the purposes for which it was created even though such powers may not be specially provided for herein.

The resolution was read second time.

On motion of Mr. Morse, the resolution was referred to the Committee on Liquor Traffic.

ADJOURNMENT

On motion of Mr. Lotief, the House at 3:35 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Appropriations filed a favorable report on House Bill No. 1.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, September 28, 1936.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of One Hundred Thousand (\$100,000) Dollars or so much thereof as may be necessary out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of members and the per diem of officers and employees of the Third Called Session of the Forty-fourth Legislature, also to cover unpaid expenses of the First and Second Called Sessions of the Forty-fourth Legislature, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

SECOND DAY

(Tuesday, September 29, 1936.)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Colson
Adamson	Cooper
Adkins	Cowley
Aikin	Craddock
Alexander	Crossley
Alsup	Daniel
Ash	Davis
Bergman	Davisson
Bourne	of Eastland
Bradbury	Davison of Fisher
Bradford	Dickison
Bridgers	Dunagan
Broadfoot	Dunlap of Hays
Broyles	Dunlap of Kleberg
Burton	Duvall
Butler of Brazos	Dwyer
Butler of Karnes	England
Cagle	Fain
Caldwell	Farmer
Calvert	Fisher
Canon	Ford
Collins	Fox
Colquitt	Frazer

Fuchs	McFarland
Gibson	McKinney
Glass	Moffett
Good	Moore
Graves	Morris
Gray	Morrison
Greathouse	Morse
Hankamer	Newton
Hanna	Nicholson
Hardin	Olsen
Harper	Palmer
Harris of Archer	Patterson
Harris of Dallas	Payne
Hartzog	Petsch
Head	Pope
Herzik	Quinn
Hill	Reader
Hodges	Reed of Bowie
Hofheinz	Reed of Dallas
Holland	Riddle
Hoskins	Roach of Angelina
Howard	Roach of Hunt
Huddleston	Roane
Hunt	Roark
Hunter	Roberts
Hyder	Rogers
Jackson	Russell
James	Rutta
Jefferson	Settle
Jones of Atascosa	Sessions
Jones of Falls	Shofner
Jones of Shelby	Smith
Jones of Wise	Stanfield
Keefe	Steward
King	Stovall
Knetsch	Tarwater
Lange	Tennyson
Lanning	Thornton
Latham	Tillery
Leath	Waggoner
Lemens	Walker
Leonard	Wells
Lotief	Westfall
Lucas	Wood of Harrison
Luker	Wood of Montague
Mauritz	Worley
McCalla	Young
McConnell	Youngblood

Absent

Atchison	Scarborough
Celaya	

Absent-Excused

Lindsey	Spears
McKee	Stinson
Padgett	Venable

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered the following invocation:

"Our Heavenly Father, by Thy kind providence we enter new fields wherein those who have minister to those who

have not. The magnitude of our task brings us to Thee this morning. Be pleased to guide us in our undertakings, for Christ's sake. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Padgett for today, on motion of Mr. Ford.

Mr. Venable for today, on motion of Mr. Bradford.

Mr. Spears for today, on motion of Mr. Dickison.

Mr. Stinson for today, on motion of Mr. Hanna.

Mr. McKee for today, on account of illness, on motion of Mr. Hoskins.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Spears:

H. B. No. 2, A bill to be entitled "An Act amending Subdivision 40A, Section I, Chapter 212, House Bill 251, Acts Regular Session Forty-second Legislature; levying a tax upon persons, firms, and corporations, who produce sulphur; providing for the making of sworn quarterly reports to the Comptroller, providing that the occupation tax on sulphur be Two (\$2.00) Dollars per long ton, and for the collection of same; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Reader, Mr. Riddle, Mr. Farmer, Mr. Knetsch and Mr. Reed of Bowie:

H. B. No. 3, A bill to be entitled "An Act amending Section 2, Acts 1933, Regular Session of Forty-third Legislature, Page 409, Chapter 162, House Bill 154, as amended by Acts of 1933, Forty-third Legislature, First Called Session, Page 43, Chapter 12; increasing the tax on oil; allocating the revenue to the Public School Fund, and for the payment of Old Age Pensions; prescribing a savings clause and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Dunlap of Hays, Mr. Settle and Mr. Hoskins:

H. B. No. 4, A bill to be entitled "An Act levying and imposing occupation taxes, and certain other taxes, in addition to those now prescribed by law, on certain industries and public utilities, and natural resources; providing how the moneys so derived shall be allocated; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Keefe:

H. B. No. 5, A bill to be entitled "An Act making an appropriation; directing the State Treasury to transfer certain funds in the permanent Old Age Pension Fund to the Texas Old Age Assistance Fund; authorizing the sale of securities held by the permanent Old Age Pension Fund, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Lucas, Mr. Fain and Mr. Farmer:

H. B. No. 6, A bill to be entitled "An Act making an appropriation and transfer of the sum of Three Million (\$3,000,000.00) Dollars from the State Highway Fund into the Texas Old Age Assistance Fund, and authorizing the proper officials to make such transfer, and making an appropriation and transfer of Three Million (\$3,000,000.00) Dollars from the General Fund to the State Highway Fund for the purpose of reimbursing said fund, and authorizing the State Treasurer and other Officers of the State to take such action as necessary to effectuate such transfer, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Graves:

H. B. No. 7, A bill to be entitled "An Act requiring taxes to be paid on the listed and rendered value in order to prevent the accrual of penalty and interest; further requiring the payment of such taxes on the listed and rendered value by the owner, as a condition to resisting the valuation fixed by the board of equalization, in any court; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. James and Mr. Frazer:

H. B. No. 8, A bill to be entitled "An Act levying and imposing occupation taxes on certain industries, and public utilities, and natural resources; providing how the moneys, so derived, shall be allocated to the Texas Old Age Assistance Fund; levying an occupation tax on gas, electric light, electric power, or water works, or water and light plants, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Caldwell:

H. B. No. 9, A bill to be entitled "An Act amending Article 7060, Revised Civil Statutes of Texas, 1925, as amended Acts 1930, Forty-first Legislature, Fifth Called Session, Page 168, Chapter 34, Section 1; requiring individuals, companies, corporations, and associations owning or controlling gas, electric light, electric power, or water works, or water and light plants, to file quarterly reports with the Comptroller showing the amount of their gross receipts, levying an occupation tax upon the gross receipts of such individuals, companies, corporations, and associations, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Jones of Wise, Mr. Roark and Mr. Lotief:

H. B. No. 10, A bill to be entitled "An Act providing for the Act; providing for the imposition of a franchise tax; providing that certain corporations shall be exempt from the Act, but requiring the exemption to be proven by the claimant, and repealing all existing exemptions, or special credits; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Davisson of Eastland:

H. B. No. 11, A bill to be entitled "An Act to create an Unemployment Insurance System for the State of Texas; creating an Unemployment Compensation Fund; providing for collections, deposits, and investments of such funds; providing for withdrawals; providing for custody, and management of such funds in certain contingencies; etc., and declaring an emergency."

Referred to Committee on Labor.

By Mr. Quinn:

H. B. No. 12, A bill to be entitled "An Act levying and providing for the payment of a state occupation tax on the producing, distributing, exporting, and importing of natural gas with certain exceptions; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Reed of Bowie and Mr. Cagle:

H. B. No. 13, A bill to be entitled "An Act to amend Section 2 of Chapter 162, Acts Regular Session of the Forty-third Legislature, Page 409, as amended by Chapter 12, Acts First Called Session of the Forty-third Legislature, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Cowley, Mr. Davisson of Eastland and Mr. Harper:

H. B. No. 14, A bill to be entitled "An Act providing for the transfer of Twenty-five Thousand (\$25,000) Dollars from the Securities Act Fund to the Texas Old Age Assistance Fund; providing that the balance, remaining after such transfer, may be used by the Secretary of State; and declaring an emergency."

Referred to Committee on State Affairs.

OATH OF OFFICE ADMINISTERED

Speaker Stevenson stated that Hon. W. W. Bridgers, Representative-elect of the Eighty-ninth Representative District, Place No. 2, to succeed Hon. William E. Clayton, resigned, was present, presenting his certificate of election, and stated that the constitutional oath of office would now be administered to him.

Mr. Bridgers then came forward and took the constitutional oath of office, which was administered by Hon. Coke R. Stevenson, Speaker.

MESSAGE FROM THE SENATE

Austin, Texas, September 29, 1936.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 1, A bill to be entitled "An Act making an appropriation

of the sum of One Hundred Fifty Thousand (\$150,000.00) Dollars or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to pay contingent expenses, mileage and per diem of the Third Called Session of the Forty-fourth Legislature, also to cover unpaid expenses of the First and Second Called Sessions of the Forty-fourth Legislature, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

S. B. No. 1, to the Committee on Appropriations.

COMPLETING ORGANIZATION OF THE HOUSE

Mr. Leonard offered the following resolution:

Resolved by the House of Representatives of the Third Called Session of the Forty-fourth Legislature of the State of Texas, That the Speaker of the House shall appoint the following employes for the Third Called Session of the Forty-fourth Legislature to serve for such compensation as is herein provided, unless otherwise specified:

1. Parliamentarian to the House, at \$7.50 per day.
2. Two secretaries to the Speaker, at \$5.00 per day, each.
3. One Bill Clerk, at \$4.00 per day.
4. One telegraph and telephone Clerk, at \$4.00 per day.
5. One secretary to the Chief Clerk, at \$5.00 per day.
6. One bookkeeper for the Chief Clerk, at \$5.00 per day.
7. One stenographer to the Chief Clerk, at \$4.00 per day.
8. One clerk to the Chief Clerk, at \$4.00 per day.
9. One assistant to the Journal Clerk, at \$5.00 per day.
10. One assistant to the Calendar Clerk, at \$4.00 per day.

11. One clerk to the Committee on Appropriations, at \$5.00 per day.

12. One reference librarian, and data clerk, at \$5.00 per day.

13. One stenographer for the Committee on Appropriations, at \$5.00 per day.

14. One page to the Committee on Appropriations, at \$3.00 per day.

15. One superintendent of stenographers, at \$6.50 per day.

16. Fifty expert stenographers and typists, at \$4.00 per day.

17. One superintendent of committee clerks, at \$5.00 per day.

18. Ten committee clerks, at \$4.00 per day, each.

19. One clerk to the Committee on Claims and Accounts, at \$5.00 per day.

20. One clerk for the Committee on Contingent Expenses, at \$5.00 per day.

21. One assistant clerk to the Committee on Contingent Expenses, at \$4.00 per day.

22. One mailing clerk for the Journal, at \$4.00 per day.

23. One assistant mailing clerk for the Journal, at \$4.00 per day.

24. One supply clerk and storekeeper, at \$3.00 per day.

25. One assistant supply clerk, at \$2.50 per day.

26. One page to the Committee on Contingent Expenses, at \$2.50 per day.

27. One stenographer for the Committee on Contingent Expenses, at \$5.00 per day.

28. One page to the Doorkeeper, at \$2.50 per day.

29. One page to the Assistant Doorkeeper, at \$2.50 per day.

30. One page for the Enrolling and Engrossing rooms, at \$2.50 per day.

31. One page for the stenographic force, at \$2.50 per day.

32. One messenger, to carry papers to the Confederate Home, at \$2.00 per day.

33. Thirty pages, at \$2.50 per day, each.

34. One multigraph and/or mimeograph clerk, at \$4.00 per day.

35. One secretary to Mr. Alsup, at \$4.00 per day.

36. Four Assistant Sergeants-at-Arms, at \$5.00 per day, each.

37. One night watchman, at \$3.00 per day.

38. One assistant night watchman, at \$3.00 per day.

39. Ten porters, at \$2.00 per day, each.

40. One maid for ladies' lounge room, at \$2.00 per day.

41. One superintendent of porters, at \$3.50 per day.

42. Two elevator boys, at \$2.00 per day, each.

43. One day houseman, at \$3.00 per day.

44. One night houseman, at \$3.00 per day.

45. One chief operator for voting machine, at \$7.50 per day.

46. One assistant operator for voting machine, at \$5.00 per day.

47. One extra duty porter at \$2.50 per day.

Be it further resolved, That it shall be the duty of the Speaker, and he is hereby empowered, to dispense with the services of any employe who, in his judgment, is not further needed; or for the misconduct of any employe, and he shall have the power to appoint extra help whenever in his judgment it is needed. The duties of the employes heretofore mentioned shall be such as are required by the Speaker of the House of Representatives, and he is hereby empowered to apportion the hours and pay of part-time employes.

Any of the employes may be excused by the Speaker for causes deemed by him sufficient; provided, further, that any employe who shall absent himself without leave shall not receive any compensation for the time missed during his absence. The salaries of the employes shall begin when they are instructed to begin work by the Speaker.

Be it further resolved, That each Member of the House of Representatives of the Third Called Session of the Forty-fourth Legislature be, and is hereby, allowed a credit in the sum of Thirty Dollars with the Committee on Contingent Expenses for expenditure for stationery, supplies, postage, telephone tolls and/or telegraph tolls. The Speaker shall be allowed an additional Thirty Dollars, the Chief Clerk shall be allowed Thirty Dollars, the

Committee on Contingent Expenses and the Sergeant-at-Arms shall each be allowed Twenty Dollars, and the Committee on Appropriations shall be allowed Thirty Dollars. Committee on Claims and Accounts Ten Dollars.

The Committee on Contingent Expenses shall procure and keep for the use of the House, its Members, officers and committees, such stationery, stamps, and other supplies as may be needed, and ordered by the House, the Speaker, and/or the Chairman of the Committee on Contingent Expenses. The Clerk of this Committee shall keep an itemized account of the quantity of every kind of material received, the date it was received, the price paid therefor, and the person from whom it was received. The unused remainder, if any, shall be delivered, at the close of the session, to the Board of Control for safe keeping. The office of this Committee shall be kept open daily, except Sundays, from 8:30 a. m. until one hour after the adjournment of the House, and on Sundays from 9 a. m. to 11 a. m. The Committee shall keep a set of books, containing an account for each member, officer, and/or committee authorized by the House to expend stationery, supplies, stamps, telephone and/or telegraph tolls, and shall charge to each such account its daily withdrawals. The Clerk of the Committee shall furnish a statement to each, of the accounts, monthly, or when requested.

The Committee on Contingent Expenses shall have jurisdiction over the mailing of the Journal.

Each Member shall be furnished with three weekly and/or daily newspapers, of his own selection.

Each Member shall be furnished with a postoffice box, rent of which is to be paid by the Committee, if requested by a member.

All requisitions for paper and supplies necessary for the preparation of bills and/or resolutions, for the use of the Enrolling and Engrossing rooms and/or the standing committees of the House shall be under the direction and care of the Committee on Contingent Expenses. This Committee is also authorized to rent a sufficient number of typewriters and other business machines for the use of the House and its employes, and to furnish same with proper materials.

Be it further resolved, That twelve hundred copies of the House Journal be printed daily; one hundred

to be delivered to the Senate, one copy to be placed on each member's desk daily, seventy-five copies to be delivered to the State Library, and the remainder to be left with the Committee on Contingent Expenses for distribution under the direction of the Speaker.

Resolved further, That no allowances included in this resolution shall be expended except for actual salaries and/or actual expenses of the House, its Members, officers, committees, and/or employes hereinabove set out.

All such funds necessary to be expended in payment of the above shall be paid out of the Contingent Expense Fund of the House.

The resolution was read second time, and was adopted.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Lucas offered the following resolution:

H. C. R. No. 2, To Grant Mrs. Annie Allison permission to bring suit against the State of Texas.

Whereas, In or about the year 1934, the State of Texas by and through the Highway Commission constructed a highway extending from the City of Corsicana to the town of Hillsboro in Hill County, Texas, and known as State Highway No. 22, and in connection with the construction of said highway, so changed the contour of the land at and near said highway and so constructed the same as to change the course and flow of waters from rains and other precipitation; and

Whereas, Mrs. Annie Allison of Henderson County, Texas, has a small tract of land and a house near to said highway in Brandon, Hill County, Texas, which she claims to be damaged by reason of the increased flow of water, from rains and other precipitation, across her said land by reason of the construction of said highway and change of the contour of the land near the same, for which damage, if any, she has not been compensated in whole or in part; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the said Mrs. Annie Allison be, and is hereby, granted permission to bring suit against the State of Texas in any Court of competent jurisdiction in

Hill County, Texas, in order to determine what damage, if any, she suffered and what compensation, if any, she may be entitled to by reason of any increased flow of water over her land on account of the construction of said highway or consequent change of the contour of land near thereto, and that in case suit be filed, service of citation and other necessary process may be had upon the Highway Commission and the Attorney General with the same force and effect as is made in civil cases.

The resolution was read second time.

On motion of Mr. Lucas, the resolution was referred to the Committee on State Affairs.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Hoskins offered the following resolution:

H. C. R. No. 3, To grant E. A. Schlick, et al., permission to sue the State.

Whereas, E. A. Schlick; Mrs. Annie Beeson, a feme sole; J. L. Baggett and wife, Mrs. J. L. Baggett; A. F. Schlick and wife, Mrs. A. F. Schlick; Ida Schlick, a feme sole; A. C. DuBose and wife, Maggie DuBose; Alfred Mercer and wife, Martha Jane Mercer; J. F. Jurica and wife, Mrs. J. F. Jurica; C. W. Mason; Mrs. Nannie Smith, a feme sole; and O. E. Wendel and wife, Annie Wendel, and each of them, own lands situated in Gonzales County, Texas; and

Whereas, In 1933-34, A. D., the State Highway Department re-routed State Highway Number 29, South of Gonzales, Texas, for a distance of approximately one (1) mile and constructed State Highway Number 112 South and West of State Highway Number 29 across the Guadalupe River Valley and the Relief Valley of the Guadalupe River; and

Whereas, Over the timely protest of numerous Gonzales County landowners, including several of the above named persons, that portions of State Highway Number 29 which was re-routed, was placed on a high road dump or grade with inadequate and insufficient openings through which the flood waters moving down the Guadalupe River Valley might pass; and a part of State Highway No. 112 across the Guadalupe River Valley was likewise constructed on a

high road dump or grade with a low grade or spillway approximately two thousand (2,000) feet in length between the Cross Timber and Stahl Lake through which flood waters moving down the Guadalupe River Valley would naturally be concentrated by the high road dump or grade on the remainder of State Highway Number 112 and on that portion of State Highway Number 29 which was re-routed; and

Whereas, In June, 1935, A. D., and in July, 1936, A. D., the Guadalupe River Valley South of Gonzales, Texas, was flooded and the natural flow of the flood waters was impeded by the high road dump or grade of State Highways Numbers 29 and 112; and the flood waters were, therefore, concentrated when they passed through the inadequate and insufficient openings in said State Highway Number 29 and particularly were they concentrated when they passed over the low grade or spillway on State Highway Number 112; and

Whereas, As a result of the re-routing and construction of State Highways Numbers 29 and 112, the lands of each of the persons whose names are above set forth, were heavily damaged and/or destroyed by the overflow of flood waters and by the concentration of said flood waters on and over their land in June 1935, A. D., and in July 1936, A. D.; and

Whereas, Article I, Section 17, of the Constitution of the State of Texas, provides that, "No person's property shall be taken, damaged or destroyed for or applied to public use without adequate compensation being made, unless by the consent of such person"; and

Whereas, None of the above named landowners have been compensated by the State of Texas or the State Highway Department, or otherwise, for the damage to or the destruction of his or her lands; and each of said landowners desires to establish a claim against the State of Texas and the State Highway Department for his or her damages resulting from the re-routing of State Highway Number 29 and the construction of State Highway Number 112; now, therefore, be it

Resolved by the House of Representatives of Texas, the Senate concurring, That the said E. A. Schlick; Mrs. Annie Beeson, a feme sole; J. L. Baggett and wife, Mrs. J. L. Baggett; A. F. Schlick and wife, Mrs.

A. F. Schlick; Ida Schlick, a feme sole; A. C. DuBose and wife, Maggie DuBose; Alfred Mercer and wife, Martha Jane Mercer; J. F. Jurica and wife, Mrs. J. F. Jurica; C. W. Mason; Mrs. Nannie Smith, a feme sole; and O. E. Wendel and wife, Annie Wendel, and each of them, their executors, administrators and heirs, be, and they and each of them, are hereby given the permission and consent of the Legislature of the State of Texas, to file and prosecute suit or suits against the State of Texas and the State Highway Commission in any court or courts of competent jurisdiction in Travis County, Texas, for his or her damage or injuries resulting from the re-routing of a part of State Highway Number 29 and/or the construction of State Highway Number 112 through Gonzales County, Texas, and the concentration of the flood waters resulting therefrom; and, be it further

Resolved, That in the event judgment is recovered against the State and/or the State Highway Commission, the State and said Commission may appeal from said judgment, as provided by law, without executing any bond, and, upon a final judgment being recovered against said defendants, or either of them, the same shall be paid out of the State Highway funds; and, be it further

Resolved, That service of all necessary processes may be had upon the Chairman of the State Highway Commission and the Attorney General with the same force and effect as in civil cases.

The crowded condition of the calendar and the importance of the subject matter of this resolution create an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule that all bills be read on three separate days in each House, and said Rule is hereby suspended and this resolution shall take effect from and after its passage, and it is so enacted.

The resolution was read second time.

On motion of Mr. Hoskins, the resolution was referred to the Committee on State Affairs.

EXTENDING PRIVILEGES OF THE FLOOR OF THE HOUSE TO REPRESENTATIVES-ELECT

Mr. Duvall offered the following resolution:

Whereas, There are seventy-five new Members-elect of the Legislature of Texas; and

Whereas, From time to time there will be a number of these Representatives-elect in the City of Austin who desire to become acquainted with the procedure of the House of Representatives; and

Whereas, The Members of the House of Representatives of the Forty-fourth Legislature are desirous of cooperating with such Members-elect; therefore, be it

Resolved, That the House of Representatives suspend its rules governing admission to the floor and that all Members-elect be permitted the full privileges of the floor at any and all times; and, be it further

Resolved, That a copy of this resolution be forwarded to each Member-elect by the Chief Clerk of the House and that said Chief Clerk be instructed to invite such Members-elect to avail themselves to the privileges of the floor at any time during this Special Session.

DUVALL,
MORSE,
READER,
BOURNE.

The resolution was read second time, and was adopted.

RELATIVE TO CERTAIN INVESTIGATING COMMITTEE

Mr. Hunter offered the following resolution:

Whereas, There is wide spread dissatisfaction with the method now employed in administration of Old Age Assistance in Texas; and

Whereas, It has been frequently charged that many of those who are eligible for assistance have been discriminated against in the amount of assistance received and further charges that many of those who are badly in need have failed to receive assistance, while many who are not so badly in need have already received aid; and

Whereas, The investigation of the applications has in many instances been very slow which has contributed in bringing about a deplorable situation in this State; and

Whereas, It has been further charged that the cost of administering the Old Age Assistance has far exceeded the 5% as allowed by law,

and whereas, all of these conditions together with others connected herewith have created much public and private criticisms of the Old Age Assistance Act, and administration thereof; and

Whereas, This Legislature is to intelligently raise sufficient revenue to take care of this problem we should have information concerning the above named charges; therefore, be it

Resolved by the House of Representatives of the Forty-fourth Legislature, That the Speaker of the House appoint a committee of five members of the House to hear evidence on the charges contained herein, and hear such additional evidence as may be brought before said committee concerning these or other charges concerned with the Old Age Assistance Act, or its administration, and that this committee shall have the power to subpoena witnesses and hear evidence and administer oath to witnesses the same as the District Courts of this State; be it further

Resolved, That this committee shall hear such evidence and make a report to the House of Representatives within ten days after the adoption of this resolution.

For the purpose of defraying the necessary expenses incident to this investigation, there is hereby appropriated out of the Contingent Expense Fund of the Forty-fourth Legislature the sum of \$200.00 or so much thereof as may be necessary.

HUNTER,
BRADBURY,
HARDIN.

The resolution was read second time.

On motion of Mr. Jones of Wise, the resolution was referred to the Committee on State Affairs.

PROVIDING FOR HEARINGS BY COMMITTEE OF THE WHOLE IN REGARD TO FINANCING OLD AGE PENSIONS

Mr. McKinney offered the following resolution:

Whereas, The Forty-fourth Legislature of Texas has assembled in the Third Called Session for the purpose of providing revenue for old age assistance in this State; and

Whereas, To carry out this purpose fairly and efficiently the Legislature must take such action as will adequately and permanently finance old

age assistance for all those entitled to such assistance under the Act passed by the Second Called Session of the Forty-fourth Legislature and the Social Security Act of the Congress of the United States, without imposing unnecessary and wasteful burdens upon the taxpayers; and

Whereas, Such action must necessarily be based upon detailed and dependable information as to the number and circumstances of recipients and prospective recipients of old age assistance and the experience, methods and plans of those in charge of old age assistance administration; and

Whereas, Such information as is now possessed by members of this House, other than that contained in the Governor's message, is conflicting and confusing, consisting of published reports that the Federal authorities have insisted upon a reduction of the number of recipients of old age assistance in Texas and contemporaneous reports show a tremendous increase in the number of such recipients is to be expected in the near future, and are incomplete as well as contradictory; now, therefore, be it

Resolved by the House of Representatives of the Forty-fourth Legislature of Texas, That this House, as a committee of the whole, conduct an inquiry, to be limited to one week in duration, and to all matters properly bearing upon the task of providing efficiently for a continued old age assistance in Texas, including the number, distribution and circumstances of those now receiving old age assistance, the number and status of applications for such assistance, the methods and policies of those in charge of administering old age assistance and the attitude and views of the Social Security Board or its agents in Texas toward the old age assistance situation in this State; and, be it further

Resolved, That Orville Carpenter, Executive Director of the Old Age Assistance Commission, be called before the committee for testimony and advice; that all members of the Commission be called also; that such records of the Director's office and of the Regional office as may be deemed helpful by the committee be requisitioned and that O. M. Powell, Regional Director for the Social Security Board, be invited to appear before the committee; and, be it further

Resolved, That the committee shall have and exercise all powers conferred upon or permitted to the House itself in the making of inquiries of this nature, and that a committee of five members be named by the Speaker to conduct the questioning of those appearing in this investigation.

McKINNEY,
HANKAMER,
COOPER.

The resolution was read second time.

Mr. Hunt moved that the resolution be referred to the Committee on State Affairs.

On motion of Mr. McKinney, the motion by Mr. Hunt was tabled.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—80

Adamson	Howard
Adkins	Huddleston
Aikin	Hunt
Alexander	Hyder
Alsup	Jackson
Bergman	James
Bradbury	Jones of Atascosa
Bradford	King
Bridgers	Latham
Broyles	Leath
Butler of Karnes	Lemens
Cagle	Leonard
Caldwell	Lotief
Canon	McCalla
Collins	McConnell
Colquitt	McFarland
Colson	McKinney
Cooper	Moffett
Craddock	Morse
Crossley	Olsen
Dickison	Palmer
Dunagan	Patterson
Dunlap of Hays	Quinn
Farmer	Reed of Dallas
Fisher	Riddle
Frazer	Roach of Angelina
Fuchs	Roach of Hunt
Gibson	Roberts
Glass	Russell
Good	Rutta
Gray	Smith
Hankamer	Steward
Hanna	Stovall
Hardin	Thornton
Harris of Dallas	Tillery
Herzik	Waggoner
Hill	Walker
Hodges	Wood of Harrison
Hofheinz	Worley
Hoskins	Youngblood

Nays—47

Bourne	Lanning
Broadfoot	Lucas
Burton	Luker
Butler of Brazos	Mauritz
Cowley	Moore
Daniel	Morris
Davison of Fisher	Morrison
Duvall	Payne
England	Petsch
Fain	Pope
Ford	Reader
Fox	Reed of Bowie
Graves	Roane
Greathouse	Roark
Harper	Rogers
Harris of Archer	Sessions
Head	Settle
Hunter	Shofner
Jones of Falls	Tarwater
Jones of Shelby	Tennyson
Jones of Wise	Wells
Keefe	Westfall
Knetsch	Wood of Montague
Lange	

Absent

Ash	Hartzog
Atchison	Holland
Calvert	Jefferson
Celaya	Newton
Davis	Nicholson
Davison	Scarborough
of Eastland	Stanfield
Dunlap of Kleberg	Young
Dwyer	

Absent-Excused

Lindsey	Spears
McKee	Stinson
Padgett	Venable

Mr. McKinney moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

In accordance with the above action, the Speaker announced the appointment of the following Board of Managers: Messrs. McKinney, Thornton, Alexander, Roberts and Cagle.

TO PROVIDE FOR COMMITTEE TO
MAKE CERTAIN
INVESTIGATIONS

Mr. Caldwell offered the following resolution:

Whereas, It has been rumored throughout the State that certain State Institutions of Higher Learning are permitting the teaching of communism, atheism and other un-American and subversive theories and doctrines to the youth of our State; and

that the spread of such teachings is promoted through school organizations, political organizations and social groups as well as in the classrooms of our colleges; and

Whereas, The verity of such rumors should be ascertained by the Legislature in order that steps may be taken to correct such a situation if the same exists, and that the rumors be branded as false if the same are found to be untrue; now, therefore be it

Resolved by the Legislature, That the Speaker of the House of Representatives appoint five Members of the House of Representatives to serve as a committee to investigate the aforesaid rumors and that such a committee report its findings to the House of Representatives prior to the expiration of the Third Called Session of the Forty-fourth Legislature; and, be it further

Resolved, That said committee shall have full and complete authority to formulate rules of procedure, to summon witnesses, to issue subpoenas, subpoena duces tecum, attachment and all other writs and process necessary to effect the purposes of this resolution, to administer oaths to said witnesses, and to punish for contempt.

The resolution was read second time.

Mr. McConnell raised a point of order on further consideration of the resolution at this time, on the ground that the subject matter contained in the resolution has not been submitted by the Governor.

ADJOURNMENT

Mr. Farmer moved that the House recess to 2 o'clock p. m., today.

Mr. Hankamer moved that the House adjourn until 10 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Hankamer, it prevailed, and the House accordingly, at 11:35 o'clock a. m., adjourned until 10 o'clock a. m., tomorrow.

APPENDIX

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, September 28, 1936.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred

H. C. R. No. 1, Inviting Governor James V. Allred to address a joint session of the House and Senate at 2:30 p. m., Monday, September 28.

Has carefully compared same and finds it correctly enrolled.

ROANE, Vice-Chairman.

THIRD DAY

(Wednesday, September 30, 1936)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll of the House was called and the following Members were present:

Mr. Speaker	Frazer
Adamson	Fuchs
Adkins	Gibson
Aikin	Glass
Alexander	Good
Alsup	Graves
Ash	Gray
Bergman	Greathouse
Bourne	Hankamer
Bradbury	Hanna
Bradford	Hardin
Bridgers	Harper
Broadfoot	Harris of Archer
Broyles	Harris of Dallas
Burton	Hartzog
Butler of Brazos	Head
Butler of Karnes	Herzik
Cagle	Hill
Caldwell	Hodges
Calvert	Hofheinz
Canon	Holland
Celaya	Hoskins
Collins	Huddleston
Colquitt	Hunt
Colson	Hunter
Cooper	Hyder
Cowley	Jackson
Craddock	James
Crossley	Jefferson
Daniel	Jones of Falls
Davis	Jones of Shelby
Davison of Fisher	Jones of Wise
Davisson	Keefe
of Eastland	King
Dickison	Knetsch
Dunlap of Hays	Lange
Dunlap of Kleberg	Lanning
Duvall	Latham
Dwyer	Leath
England	Lemens
Fain	Leonard
Farmer	Lotief
Fisher	Lucas
Ford	Luker
Fox	Mauritz